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EXAMINER

MOORE, IAN N

ART UNIT PAPER NUMBER

2616

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/771,121

Applicant(s)

JOHANSSON ET AL.

Examiner

Ian N. Moore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-21, 23 and 24 is/are rejected.
- 7) ☒ Claim(s) 10 and 22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2-23-06
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it contains the phrase, "**invention**" in line 1, which can be implied. Applicant is reminded of the proper language and format for an abstract of the disclosure. Correction is required. See MPEP § 608.01(b).

It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Drawings

2. The drawings are objected to because there is a lack of descriptive text legends for **FIG. 2** [37 CFR 1.83, CFR 1.84 [5(e)], MPEP § 608.02(e)].

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1,5-7,11-13,17-19,23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andersson (US006047194A) in view of Moore (US005475374A).

Regarding Claims 1,13, and 23, Andersson discloses a system performing a method at a wireless mobile communication station (see FIG. 1, Mobile terminal 14) for enabling the wireless mobile communication station to control when pushed packet data from an originator (see FIG. 1, from Internet Host 12) is received by the wireless mobile communication station, the

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station being operatively associated with a wireless communication network providing packet data transferring services (see col. 3, line 40-47; packet switching network), the method comprising the acts of:

receiving at the wireless mobile communication station a network address of an originator of packet data that is attempting to push the packet data to the mobile communication station (see FIG. 2, 114; see FIG. 4, step 168; see col. 5, line 65 to col. 6, line 7; see col. 7, line 40-65; see col. 8, line 45-56; see col. 10, line 57-57; mobile terminal receives an SMS message with in identifier (i.e. Origination Address (OA) according to GSM's SMS standard) of the origination source/host that is trying to send packet data);

determining if the received network address matches a predefined network address of the originator stored the wireless mobile communication station (see FIG. 4, step 172; see col. 6, line 4-10; see col. 7, line 60 to col. 8, line 2, 59-65; see col. 9, line 32-35; see col. 10, line 50-56; mobile terminal must determine the received identifier/OA of the origination source associates/matches with stored/predetermined identifier/OA);

verifying the identity of the originator at the wireless mobile communication station if the received network address matches one predefined network addresses stored by the wireless mobile communication station (see FIG. 4, step 174; see col. 6, line 5-14; see col. 8, line 3-65; see col. 9, line 35-40; mobile user verifies/selects the identify of the origination sources if received identifier of the origination source corresponds/matches the stored identifier (i.e. user can only select/verify "the identifier" if the received identify matches/corresponds with stored/predetermined identifier));

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establishing a packet data session with the originator at the wireless mobile communication station only if the identity of the originator is verified (see FIG. 4, step 176; see col. 6, line 10-14; see col. 8, line 10-14, 60-67; see col. 9, line 40-44; after verifying/selecting packet transmission from origination source, a registration is initiated to established connection),

thereby ascertaining that pushed packet data only is received from one or more predefined originators (see col. 8, line 10-14, 60-67; col. 8, line 65 to col. 9, line 6; thereby determining that the packet data is received only from verified/selected origination source).

Andersson does not explicitly disclose including in a set of one or more predefined network addresses and verified as being authentic. However, Moore teaches receiving at the wireless mobile communication station (see FIG. 2, portable radio device 106) a network address of an originator of data (see FIG. 4, address 410 of a caller) that is attempting to push the data to the mobile communication station (see col. 7, line 25-34);

determining if the received network address matches a predefined network address of the originator that is included in a set of one or more predefined network addresses stored by the wireless mobile communication station (see FIG. 5, step 820; see col. 7, line 30-37; determining whether address matches the selective address stored in the memory 240 or 340 (see FIG. 2-3));

verifying the identity of the originator at the wireless mobile communication station if the received network address matches a one or more of the predefined network addresses stored by the wireless mobile communication station (see FIG. 5, step 825, address verifies?; see col. 7, line 35-45); and

establishing a session with the originator at the wireless mobile communication station only if the identity of the originator is verified as being authentic (see col. 7, line 35-60;

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receiving data (i.e. sport scores) only if the portable device is authorized to receive data. Note that in order to receive data at a portable device, the connection/session must be established). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a portable device stores plurality of address and perform authentication, as taught by Moore in the system of Andersson, so that it would provide a means to conserve power in the portable radio device when long messages are being transmitted to the radio device; see Moore col. 1, line 38-50.

Regarding Claims 5 and 17, the combined system of Andersson and Moore discloses all limitation as set forth above in claim 1 and 13. Andersson further discloses wherein said network address of said receiving act is received in a short message (see col. 6, line 1-10; SMS), the short message being received from a short message service provided by said wireless communication network (see FIG. 1, Short Message service-center, SMS-C 56; see col. 5, line 60 to col. 6, line 10).

Regarding Claims 6 and 18, the combined system of Andersson and Moore discloses all limitation as set forth above in claim 1 and 13. Andersson further discloses establishing a packet data session using the originator network address (see col. 5, line 65 to col. 6, line 14; see col. 7, line 40-65; see col. 8, line 10-14,45-67; see col. 9, line 40-44; see col. 10, line 57-57).

Regarding Claims 7 and 19, the combined system of Andersson and Moore discloses all limitation as set forth above in claim 1 and 13. Andersson further discloses wherein said network address is an Internet Protocol address (see col. 7, line 40-35; IP address).

Regarding Claim 11, the combined system of Andersson and Moore discloses a computer-readable medium storing computer-executable components for causing a wireless

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communication station to perform the acts recited in claim 1 and 13 when the computer-executable components are run on microprocessor included by a wireless communication station (see Andersson FIG. 3, mobile terminal 14 contains processor and memory; see col. 8, line 14-32; see Moore FIG. 2-3, Memory 240/340, control circuit 206/315).

Regarding Claim 12, the combined system of Andersson and Moore a wireless communication station (see Andersson FIG. 3, mobile terminal 14; see Moore FIG. 2-3, portable device) arranged to be operatively associated with a wireless communication network (see Andersson FIG. 1, mobile network) providing packet data transferring services, wherein the wireless communication station includes processing means (see Andersson FIG. 3, mobile terminal 14 contains processor; see Moore FIG. 2-3, control circuitry 206/315), memory means (see Andersson FIG. 3, mobile terminal 14 contains memory; see Moore FIG. 2-3, Memory 240/340), interface circuitry means (see Andersson FIG. 3, Rx circuitry 142 with radio antenna interface; see Moore FIG. 2-3, antenna 202/313) and user interface means (see Andersson FIG. 3, Display 144 and selector 146; see Moore FIG. 2-3, display 211/317, MIC 209, speaker 208) for performing the acts recited in claim 1 (see Andersson col. 8, line 14-32), thereby facilitating desired packet data to be pushed from an originator to the wireless communication station (see Andersson col. 15, line 16-42; thereby providing the subscriber to select desired/preferred packet data system provider to receive the packet data).

Regarding Claim 24, the combined system of Andersson and Moore discloses all claimed limitation as set forth above in claim 1. Further, Andersson discloses the wireless mobile communication station is pre-configured to only accept pushed packet data transmission from one or more originators in possession of certain predefined network address (see FIG. 4, step

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174; see col. 6, line 5-14; see col. 8, line 3-65; see col. 9, line 35-40; mobile device is preconfigured/predefined to verify and accept the origination sources if received identifier/address of the origination source corresponds/matches the in-possession/stored identifier (i.e. user can only select/verify “the identifier” if the received identifier matches/corresponds with stored/predetermined identifier). Moore also discloses the wireless mobile communication station is pre-configured to only accept pushed packet data transmission from one or more originators in possession of certain predefined network address (see FIG. 5, step 820; see col. 7, line 30-37; portable device is preconfigured/predefined to accept the connection only received address matches the address in-possession/stored in the memory 240 or 340 (see FIG. 2-3)).

5. Claims 2 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andersson in view of Moore as applied to claims 1 and 13 above, and further in view of Lager (US006636502B1).

Regarding Claims 2 and 14, the combined system of Andersson and Moore discloses wherein each of said predefined network addresses of said set is associated, within the wireless communication station, with a name of originator (Andersson, see FIG. 4, step 172; see col. 6, line 4-10; see col. 7, line 60 to col. 8, line 2, 59-65; see col. 9, line 32-35; see col. 10, line 50-56; identify of the origination source) from which it is desired to receive packet data as set forth above.

Neither Andersson nor Moore explicitly discloses a name of a network server. However, Lager discloses wherein each of said predefined network addresses of said set is associated (see FIG. 8, NIP-MEM stores a plurality of network indication), within the wireless communication

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station (see FIG. 8, GPRS-MS), with a name of a network server (see FIG. 8, ISP 1, ISP2, or ISP 3) from which it is desired to receive packet data (see col. 12, line 30-50).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide associating network address/indication with a name of ISP, as taught by Lager, in the combined system of Andersson and Moore, so that it would allow a subscriber a more flexible use of several external network servers; see Lager col. 8, line 55-60.

6. Claims 3,4,8,15,16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andersson in view of Moore as applied to claims 1 and 13 above, and further in view of Wang (US006614774B1).

Regarding Claims 3 and 15, the combined system of Andersson and Moore discloses establishing a packet data session; determining whether or not the network address is authentic as set forth above in claims 1 and 13.

Neither Andersson nor Moore explicitly discloses an address translation server; requesting translation of the network address to a corresponding name of a network server; and determining based upon the result of said translation. However, Lager discloses establishing a packet data session (see FIG. 4, IP session from host 130) with an address translation server (see FIG. 4, DNS server 118);

requesting translation of the network address to a corresponding name of a network server (see col. 8, line 32-47; reverse DNS lookups (i.e. from network address to the a name of the server); and determining and connecting based upon the result of said translation (see col. 8, line 46-55; determine and connection utilizing result of reverse DNS lookups).

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Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a DNS server and reverse DNS lookups, as taught by Wang in the combine system of Andersson and Moore, so that it would avoid DNS lookup failures and does not introduce delays and cost effective system; see Wang col. 5, line 50-60.

Regarding Claims 4 and 16, Andersson discloses determine the network originator name with a previously stored network originator name the stored name being stored by the wireless communication station in such way that it is associated with the predefined network address matching said received network address (see FIG. 4, step 172; see col. 6, line 4-10; see col. 7, line 60 to col. 8, line 2, 59-65; see col. 9, line 32-35; see col. 10, line 50-56; mobile terminal must determine the received identifier/OA of the origination source associates/matches with stored/predetermined identifier/OA). Moore discloses comparing the network originator name with a previously stored network originator name the stored name being stored by the wireless communication station in such way that it is associated with the predefined network address matching said received network address (see FIG. 4, step 174; see col. 6, line 5-14; see col. 8, line 3-65; see col. 9, line 35-40; mobile user compares the identify/name of the origination sources if received network identifier/address of the origination source corresponds/matches the stored identifier (i.e. user can only compare "the identifier/address" if the received identify/name matches/corresponds with stored/predetermined identifier/address). Wang discloses the network server name returned by said address translation server as set forth above in claim 3.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a DNS server and reverse DNS lookups, as taught by Wang in

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the combine system of Andersson and Moore, for the same motivation as set forth above in claim 3.

Regarding Claims 8 and 20, the combined system of Andersson and Moore discloses establishing a packet data session using the name of the network server as set forth above in claims 1 and 13. Wang discloses establishing a packet data session using the name of the network server, which name is returned by the translation server as set forth above in claim 3 and 15. Thus, the combined system of Andersson, Moore and Wang discloses all claimed limitation.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a DNS server and reverse DNS lookups, as taught by Wang in the combine system of Andersson and Moore, for the same motivation as set forth above in claim 3.

7. Claims 9 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andersson in view of Moore and Wang, and further in view of Brothers (US00682295B1).

Regarding Claim 9 and 21, Andersson discloses said identity is the originator name as set forth above claim 1 and 13, and a network server (see FIG. 1, SMS-C, VPMSC 44, or GPMSC 46). Neither Andersson, Moore, nor Wang explicitly discloses an Internet domain host name of a network server. However, Brothers teaches wherein said name of network server is an Internet domain host name of a network server (see FIG. 13, a server Internet domain host name, "Disney.com"). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide an Internet domain host name as said name of the network server, as taught by Brothers in the combined system of Andersson, Moore and Wang,

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so that it would provide full transparent IP mobility services for clients; see Brothers col. 1, line 60 to col. 2, line 5.

Allowable Subject Matter

8. **Claims 10 and 22** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

9. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ian N. Moore whose telephone number is 571-272-3085. The examiner can normally be reached on 9:00 AM- 6:00 PM.

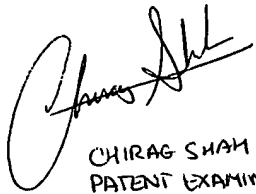
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 571-272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

9NM

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CHIRAG SHAH
PATENT EXAMINER, 2616